

# WHAT IS BEING CONSIDERED

- UST legislation for creating UST Advisory Board
- Changes to technical regulations
- Two additional certified contractor classifications
- Developing lender liability guidance
- Revisions to the Trust Fund regulations

# NEW FEDERAL UST REGULATIONS

- Final and published in July 2015
- For Mississippi, we must have the new UST regulations adopted no later than July 14, 2018
- Note: many of the changes in the new Federal UST Regulations were adopted by Mississippi in October 2008

Revised federal regulations have been out for comment since November 2011

No later than June 2018, but.....

Federal money is often tied to new requirements, so we may be required to implement sooner

Also want to make some minor changes, so plan to make changes by end of 2016

## MAJOR UST FEDERAL REGULATION CHANGES FOR MS

- · Monthly walk through inspections
- Regulating airport hydrant systems and field constructed tanks
- Requiring replacement of all UST piping when 50% or more of the piping is replaces
- Elimination of flow through restrictors (ball floats) for overfill prevention
- Notification and compatibility requirements for fuel blends > 10% ethanol or >20% biodiesel

# MONTHLY WALK THROUGH INSPECTIONS

- Check spill buckets and record the findings
- While checking release detection monthly, review records and record unusual operating conditions



Already suppose to check the spill buckets before and after each delivery. Does not alleviate this condition:

It requires documentation of checking spill buckets at least once per month

## MONTHLY WALK THROUGH INSPECTION (SPILL BUCKETS)

#### Do

- · Remove any liquid and debris
- Ensure the metal cover is on the spill bucket
- · Check the fill cap for tight fit

#### Record

- · Each spill bucket checked
- · Any liquid/debris removed
- · Condition of bucket and caps







#### MONTHLY WALK THROUGH INSPECTION (RELEASE DETECTION)

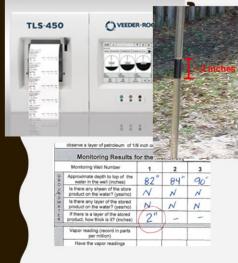
#### Do

- Check for any alarms
- Monthly written records are accurate
- Monitor for unusual operating conditions

#### Record

- Any alarms noted and corrective action
- All release detection equipment checked
- Report unusual operating conditions and corrective action

## MONTHLY WALK THROUGH INSPECTION (RELEASE



- Make sure you have a passing test for each tank and pipe
- If > I/8<sup>th</sup> inch fuel in MW, report it
- Elevated vapors are reported
  - · All alarms are reconciled
  - · Sumps are dry

# ANNUAL WALK THROUGH INSPECTION

- All covers present, in good condition, seated firmly
- Standard drop tube in good condition
- Tank gauge stick can be clearly read, not broken
- Check for all monthly and annual records



We already require some of the annual walk through inspection information that was added to the Federal Regulations.

Highlighting here the requirements new to UST:

Manhole covers seated correctly Standard drop tube in good condition Tank gauge stick can be clearly read Verify that all the records are present

#### **RE-DEFINED "REPLACED"**

For piping – to remove 50 percent or more of piping and install other piping, excluding connectors, connected to a single tank



For Mississippi,  $\geq$  50% of the piping needs to be replaced,

**ALL** the piping is required to be replaced with double-walled piping

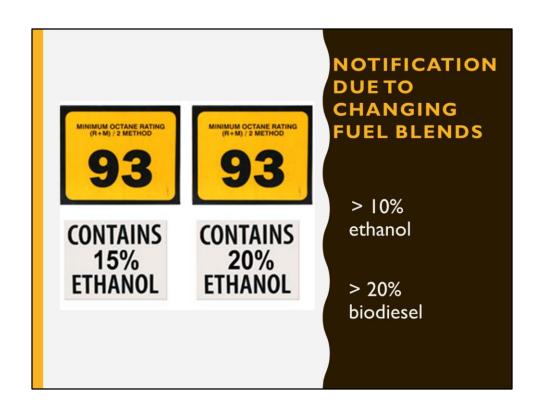


## CONTAINMENT SUMP TESTING

Right now, we require **INSPECTING**,

New regulations require 3 year **TESTING** 





#### **LENDER LIABILITY**

New Subpart to the regulations:

- Who's responsible prior to foreclosure
- Holder's responsibilities after foreclosure
  - Empties all UST systems within 60 calendar days of foreclosure
  - Permanently Close USTs or meet temporary closure requirements

**FORECLOSURE** 

Operator of the UST is responsible prior to the foreclosure as long as the holder is not a participant in management (decision maker) of the UST system

Does not have responsibility for the daily operation of the UST system

#### **LENDER LIABILITY**

Holder's responsibilities in temporary closure:

- ❖ Maintain corrosion protection
- ❖Report suspected releases
- Conduct site assessment after 12 months of temporary closure if UST system does not meet new UST system standards



### **UST FUTURE GOALS**

- Revised Mississippi Groundwater Protection Trust Fund Regulations by December 2016
- Draft UST Certified Contractor Regulations by December 2016
- Draft UST Technical Regulations incorporating federal regulations for public comment by March 2017



# UST CERTIFIED TECHNICIANS Specializing in the annual testing requirements: Spill bucket testing Overfill prevention monitoring Sump integrity Release detection maintenance

They don't own/operate the heavy equipment – backhoes, bobcats,

They don't install, repair, or replace tanks and piping

# UST COMPLIANCE WORKSHOP

October 6, 2016 December 1, 2016

> MDEQ Main Building 515 East Amite Street Jackson, MS

We have been averaging 40 to 50 attendees per class. Still available for eligible owners in lieu of penalties but we are also training lots of new tank owners and store managers for the UST Compliance Manager Certification



In the spring/summer of 2016, planning on additional tank owner meeting, regulation change review and comment session, and a UST certified contractor conference

Thank you so much for coming.

Since we have had such a successful turnout, we plan to start doing quarterly or semiannual town hall meetings throughout the State

If you have any agenda topics for upcoming events, please let us know

Pick up a copy of the Who to Call List on the back tables

Again, thanks so much for attending today